

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

	§	
UNILOC USA, INC. and	§	
UNILOC LUXEMBOURG, S.A.,	§	Civil Action No.
	§	
Plaintiffs,	§	
	§	
v.	§	PATENT CASE
	§	
SAMSUNG ELECTRONICS AMERICA,	§	
INC., SAMSUNG ELECTRONICS	§	
CO. LTD.	§	
	§	
Defendant.	§	JURY TRIAL DEMANDED
	§	

## **COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiffs, Uniloc USA, Inc. (“Uniloc USA”) and Uniloc Luxembourg, S.A. (“Uniloc Luxembourg”) (together, “Uniloc”), for their complaint against defendant, Samsung Electronics America, Inc. (“SEA”) and Samsung Electronics Co. Ltd. (“SEC”) (together “Samsung”), allege as follows:

## THE PARTIES

1. Uniloc USA is a Texas corporation having a principal place of business at Legacy Town Center I, Suite 380, 7160 Dallas Parkway, Plano Texas 75024. Uniloc USA also maintains a place of business at 102 N. College, Suite 603, Tyler, Texas 75702.

2. Uniloc Luxembourg is a Luxembourg public limited liability company having a principal place of business at 15, Rue Edward Steichen, 4<sup>th</sup> Floor, L-2540, Luxembourg (R.C.S. Luxembourg B159161).

3. SEA is a New York corporation having a principal place of business in Ridgefield Park, New Jersey. SEA may be served with process through its registered agent for service in Texas: CT Corporation System, 1999 Bryant Street, Suite 900, Dallas, Texas 75201.

4. SEC is a South Korean corporation having a principal place of business in Seoul, Republic of Korea.

5. Samsung offers its products and/or services, including those accused herein of infringement, to customers and potential customers located in Texas and in the judicial Eastern District of Texas.

### **JURISDICTION AND VENUE**

6. Uniloc brings this action for patent infringement under the patent laws of the United States, 35 U.S.C. § 271, *et seq.* This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331, 1332(a), and 1338(a).

7. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1400(b). Samsung has committed acts of infringement in this judicial district and has regular and established places of business in this district, as set forth above.

### **COUNT I** (INFRINGEMENT OF U.S. PATENT NO. 7,020,106)

8. Uniloc incorporates paragraphs 1-7 above by reference.

9. Uniloc Luxembourg is the owner, by assignment, of U.S. Patent No. 7,020,106 (“the ’106 Patent”), entitled RADIO COMMUNICATION SYSTEM, which issued on March 28, 2006. A copy of the ’106 Patent is attached as Exhibit A.

10. Uniloc USA is the exclusive licensee of the ’106 Patent, with ownership of all substantial rights, including the right to grant sublicenses, to exclude others, and to enforce and recover past damages for infringement.

11. Samsung imports, offers for sale, and sells in the United States numerous electronic devices implementing Bluetooth Core Specification v. 3.0 and above, including those devices listed in the attached Exhibit B (collectively “Accused Infringing Devices”).

12. A plurality of Accused Infringing Devices comprised of at least a first device and a second device wherein the first devices uses a transceiver to transmit information to the second device at a Basic Rate/Enhanced Data Rate (BR/EDR) in accordance with the Bluetooth 3.0 + HS or higher specification and the slave device transmits information to the master device.

13. In the Accused Infringing Devices, the BR/EDR radio is used to perform discovery, association, connection establishment and connection maintenance.

14. The Accused Infringing Products can also communicate with each other via an Alternate MAC/PHY (AMP) physical link and using WiFi (such as IEEE 802.11).

15. Once a connection has been established between a pair of Accused Infringing Devices using BR/EDR, the first device can discover whether the second device has a common AMP and cause transmission of data traffic to be moved from BR/EDR to AMP controller(s).

16. Samsung has infringed, and continues to infringe, claims of the ’106 Patent in the United States, including claims 15-17, by offering for sale, selling and/or importing the Accused Infringing Devices in violation of 35 U.S.C. § 271(a).

17. Samsung has also infringed, and continues to infringe, claims 15-17 of the ’106 Patent by actively inducing others to use, offer for sale, and sell the Accused Infringing Devices. Samsung’s customers who use those devices in accordance with Samsung’s instructions infringe claims 15-17 of the ’106 Patent, in violation of 35 U.S.C. § 271(a). Samsung intentionally directly and/or indirectly instructs its customers to infringe through training videos,

demonstrations, brochures, installation and user guides, such as those located at one or more of the following:

- <https://www.samsung.com/us/support/downloads/>
- [http://downloadcenter.samsung.com/content/UM/201703/20170318053520314/ATT\\_SM-G891A\\_GS7-Active\\_EN\\_UM\\_N\\_7.0\\_031017\\_FINAL.pdf](http://downloadcenter.samsung.com/content/UM/201703/20170318053520314/ATT_SM-G891A_GS7-Active_EN_UM_N_7.0_031017_FINAL.pdf) (p. 117).
- [http://downloadcenter.samsung.com/content/UM/201708/20170822042936979/UNL\\_SM-G950U1\\_GS8\\_EN\\_UM\\_N\\_7.0\\_051817\\_FINAL\\_AC.PDF](http://downloadcenter.samsung.com/content/UM/201708/20170822042936979/UNL_SM-G950U1_GS8_EN_UM_N_7.0_051817_FINAL_AC.PDF) (p.123). including:

Samsung is thereby liable for infringement of the '106 Patent under 35 U.S.C. § 271(b).

18. Samsung has also infringed, and continues to infringe, claims 15-17 of the '106 patent by offering to commercially distribute, commercially distributing, or importing the Accused Infringing Devices which devices are used in practicing the processes, or using the systems, of the '106 patent, and constitute a material part of the invention. Samsung knows portions of the software contained in the Accused Infringing Devices to be especially made or especially adapted for use in infringement of the '106 patent, not a staple article or commodity of commerce suitable for substantial noninfringing use. Samsung is thereby liable for infringement of the '106 Patent under 35 U.S.C. § 271(c).

19. Samsung will have been on notice of the '106 Patent since, at the latest, the service of this complaint upon it. By the time of trial, Samsung will have known and intended (since receiving such notice) that its continued actions would actively induce and contribute to the infringement of claims 15-17 of the '106 Patent.

20. Samsung may have infringed the '106 Patent through other software and devices utilizing the same or reasonably similar functionality, including other versions of the Accused Infringing Products.

21. Uniloc has been damaged by Samsung's infringement of the '106 Patent.

**PRAYER FOR RELIEF**

Uniloc requests that the Court enter judgment against Samsung:

- (A) declaring that Samsung has infringed the '106 Patent;
- (B) awarding Uniloc its damages suffered as a result of Samsung's infringement of the '106 Patent;
- (C) awarding Uniloc its costs, attorneys' fees, expenses, and interest, and
- (D) granting Uniloc such further relief as the Court finds appropriate.

**DEMAND FOR JURY TRIAL**

Uniloc demands trial by jury, under Fed. R. Civ. P. 38.

Date: February 23, 2018

Respectfully submitted,

/s/ Edward R. Nelson, III

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**ATTORNEYS FOR THE PLAINTIFFS**